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So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 3295, HELP AMERICA VOTE ACT OF 2001

Mr. LANGEVIN. Mr. Speaker, pursuant to clause 7(c) of rule XXII, I hereby announce my intention to offer a motion to instruct conferees on H.R. 3295 tomorrow.

The form of the motion is as follows:

I move that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendments to the bill H.R. 3295 be instructed to recede from disagreement with the provisions contained in subparagraphs (A) and (B) of section 101(a)(3) of the Senate amendment to the House bill (relating to the accessibility of voting systems for individuals with disabilities).

CAPITOL POLICE RETENTION, RECRUITMENT, AND AUTHORIZATION ACT OF 2002

Mr. NEY. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of the bill (H.R. 5018) to direct the Capitol Police Board to take steps to promote the retention of current officers and members of the Capitol Police and the recruitment of new officers and members of the Capitol Police, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from Ohio?

Mr. HOYER. Mr. Speaker, reserving the right to object, and I do not intend to object, but under my reservation I yield to the gentleman from Ohio (Mr. NEY), the distinguished chairman of the Committee on House Administration.

Mr. NEY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, this is an important resolution, and I want to make sure that everybody understands and hears every word of this.

It is an honor for me to be here today to introduce with the gentleman from Maryland (Mr. HOYER) the Capitol Police Retention, Recruitment, and Authorization Act of 2002. The men and women of the United States Capitol Police Force have responded in a most professional and exceptional manner since the attacks on our country last September. Let me point out that they did their jobs before that, but the attacks in September obviously put tremendous constraints and really tested the system; so I just want to point out

that they did their jobs before, but since September they have had, I think, an unusual situation here in the Nation's Capitol.

We have all been forced to look at the security and life safety issue with new eyes. Our United States Capitol Police are the frontline of that effort. They are doing an outstanding job of ensuring the safety of every person at the Capitol.

It is for this reason that we must act today to pass this legislation which will give the Capitol Police the resources they need to remain fully equipped to handle the security and life safety challenges they may encounter.

Our Capitol Police officers have responded in a tremendous way, in an unbelievable fashion to the demand placed upon them as a result of our heightened security posture. But this recognition mandates that we respond by authorizing an increase in their annual rate of basic compensation, as well as authorizing an increase in the number of full-time positions for the force. This legislation achieves that end.

Further, we need to recognize not only the hard work and hundreds of hours of overtime that the officers have already been called to work, but also the sacrifices they and their families are making as a result of this increased demand upon them. Therefore, we are authorizing changes to the Capitol Police pay regulations to allow for the eligibility of and payment for more premium pay retroactive to September 11, 2001, the day in which their lives and their workforce and their work situation changed forever.

Additionally, we recognize that since September 11 of last year, there are many new attractive opportunities for individuals who have law enforcement experience or who are interested in law enforcement careers. Because we believe that a career with the United States Capitol Police Force provides an individual with an opportunity to be a part of the very best an organization can offer, this legislation contains certain incentives to both recruit new officers to the force and also help retain veteran officers who may be looking for additional opportunities. These incentives are not only financial in nature, but are also designed to promote the quality of life for officers, both on the job and at home with their families.

I call tonight upon every Member of this House to enthusiastically support this legislation today and to send a message to the hard-working officers of our Capitol Police Force and, additionally, to those who may be considering a career with the Capitol Police Force that we are behind you all the way. More than that, we are deeply appreciative of the service and sacrifice made by all persons who make up the United States Capitol Police Force.

We all know of our two officers who, unfortunately, just within the last couple of years, were killed in the line of

duty. We all know the trauma and the tragedy of that situation. So we know at any point in time lives can be lost. We know across this Nation with law enforcement and firefighters, people involved in safety services, of the sacrifice that they make every day when they make a call and they are not sure whether they will return home. So we are here to ensure that the Capitol Hill Police Force has the resources they need to continue to be the very best in enforcement.

I also want to close by saying something about our Committee on House Administration and about the Capitol Police Force. I want to thank the gentleman from Maryland (Mr. HOYER), the ranking member, and all of the members of that committee. Since 9-11, a lot of difficult decisions have had to be made, and I can tell my colleagues that the members of the committee on both sides of the aisle cooperated at 150 percent capability to allow us to continue to make sure that this floor operates as the bastion of freedom for the world.

I also want to tell my colleagues, and I actually said this to somebody last night about the gentleman from Maryland (Mr. HOYER), and that is in not one single case or not one single incident did he ever inject one ounce of politics. These are difficult decisions where somebody could have tinkered and toiled with them or done whatever they wanted to do. That never happened. We had a perfect cooperative relationship to do what was best for the safety and security of Members and visitors and, I may add, the thousands of visitors that come here to Washington to visit the people's House. I want to thank the gentleman from Maryland (Mr. HOYER) publicly for an absolutely tremendous job since 9-11, and the countless hours of the minority and majority staff who have poured in hours to make sure this happened.

I also want to thank the gentleman from Maryland (Mr. HOYER) and members of this committee for cooperating on this resolution and for bringing the idea to me, as the gentleman from Maryland did, and for making this work for what is best, and that is the people's House.

In closing, let me just also say that we all are concerned about future generations in this country. That is why we are here. We may disagree on this floor over certain issues in how we get down that path, but we are all concerned about what happens to the future generations in this country. I think that every single Capitol Hill police officer, every morning when they get up, they look in the mirror, whether it is to hopefully brush their hair or comb their hair, or brush their teeth, I should say; when they look in that mirror, what they see is a face of the human being that is morally responsible for whether this planet is going to be safe, prosperous, and peaceful for future generations. They see themselves. They have accepted that challenge to

be morally responsible, to make this a better place. They have accepted that challenge to protect this House and this Capitol to make sure that we can engage in the energetic give-and-take of public debate that makes this the greatest country and, hopefully, makes the world a better place to be in.

Mr. Speaker, I commend them, I salute them, as well as the gentleman from Maryland (Mr. HOYER) and members of the committee; and I urge the support of this measure.

Mr. HOYER. Mr. Speaker, continuing under my reservation, I thank the gentleman from Ohio (Mr. NEY) for his remarks. I want to thank him for his leadership on this bill and so many others. Before I reference the specific provisions of this bill which are very, very important, I hope all of our colleagues are pleased with the work of our Committee on House Administration, which is charged with the responsibility of working on matters that deal with Members, visitors, and staff and which deal with other issues of how this institution and our offices are maintained and operate. I hope they are pleased, because the gentleman from Ohio (Mr. NEY) and I have found a common cause in working together without political considerations, without partisanship. It is an honor and a privilege to serve with the gentleman from Ohio (Mr. NEY) on this committee. As the ranking Democratic member of a committee, sometimes one does not feel included. That has never been for one second the case on this committee, where we work as colleagues and, more than that, as partners, in most cases, in lockstep in trying to accomplish objectives that we think are good for this House and good for this country. As I say, it is an honor and a privilege to serve with the gentleman from Ohio (Mr. NEY).

Mr. Speaker, since last year's attacks, Capitol Police officers have faced extraordinary challenges. For months after the attacks, most worked 12-hour shifts, 6 days a week so Congress, the people's House, the United States Senate, and the Capitol could continue to operate. The 12-hour shifts may have eased, but Capitol Police still confront extraordinary challenges. Unfortunately for Congress, its staff and visitors, Capitol Police officers also confront extraordinary opportunities.

Now, I say that is bad news for us, because we do not want to lose them, but it is a testament to them. As trained law enforcement professionals, Capitol Police officers are always in demand by other agencies. In these times of heightened security, demand for trained personnel has probably never been higher. As a result, the Capitol Police is losing trained officers at an alarming rate.

In just the first 8 months, Mr. Speaker, of fiscal year 2002, the Capitol Police have already lost 78 officers to other law enforcement agencies and have three more departures pending.

This is more than double the number lost on average to other law enforcement agencies during the last 3 years.

If this rate continues, the Capitol Police will, by fiscal year's end, have lost 122 officers to other agencies; 242 percent over the 3-year average. This does not even count separations for other reasons. This attrition comes as the police strive to raise manpower to recommended levels, to respond to heightened security concerns, and demands for their services.

One Federal agency in particular, Mr. Speaker, the new Transportation Security Agency, is attracting trained officers from the Capitol Police and elsewhere to serve as sky marshals and airport security officers. TSA offers compensation that can exceed the average Capitol Police officer's pay, and I want my colleagues to hear this and digest it: TSA is offering salaries that can exceed the average Capitol Police salary by 80 percent or more.

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An 80 percent pay increase is tough for anybody to turn down. There is no doubt that TSA's work is vital, but the security of the Capitol is vital, as well. Congress has a duty to ensure the Capitol Police can attract and retain the people needed to make the Capitol safe.

This is why the chairman and I introduced H.R. 5018. The bill authorizes a 5 percent pay raise for fiscal year 2003 for officers through the rank of captain. Raises for higher-ranking officers will be discretionary with the Police Board. This gives officers who may be thinking of leaving a reason to stay.

We want them to stay. We are proud of the service they give. We are respectful of their training and of their abilities. We want to send a strong message that we value their service.

Mr. Speaker, the bill also increases from 6 to 8 hours the amount of annual leave earned per pay period by officers with at least 3 year service. As a matter of fairness, the bill authorizes the Board to make whole those officers adversely affected during the recent months of heavy overtime by limits on premium pay. This will restore to officers roughly \$350,000 that they earned but did not receive due to these limits.

The bill also authorizes extra pay for officers in specialty assignments, as determined by the Board. It lets the Board hire experienced officers and employees at salaries above the minimum for a particular position when needed and justified.

It authorizes, as well, a tuition reimbursement program for officers taking courses on their own time leading towards a law enforcement-related degree and authorizes bonuses upon completion of such degrees. This will give officers opportunities for professional improvement, which should lead in turn, it is our hope, to a more rapid advancement.

For Congress, this will create a more educated and better Capitol Police force. The bill authorizes bonuses for

officers and employees who recruit others to join the force, potentially turning the entire agency into active recruiters.

Finally, Mr. Speaker, as important as these tangible benefits are, we recognize that there are intangible aspects that make any job more interesting, helping to persuade veterans to stay and others to seek the position. The bill encourages our chief to deploy officers in innovative ways, maximizing opportunities to rotate among various posts and duties, to be cross-trained for specialty assignments, and to utilize fully the skills and talents of individuals.

More innovative management could greatly enhance the appeal and satisfaction of the job, making retention and recruitment easier. I am convinced that the chief understands that and has the skill and management capability to do just that. If done smartly, it would also make the Capitol more secure.

Mr. Speaker, in the course of developing this bill, the committee reached out in many directions for guidance. I met with the new chief, Terry Gainer, and Assistant Chief Bob Howe, who offered very solid and important ideas. We received suggestions from other senior police officials. We received valuable input from the Fraternal Order of Police, representing the rank and file, and from numerous officers. We sought guidance from the Sergeant at Arms and Police Board. We also heard from individual Members concerned about the current attrition and who wanted to see it addressed.

In addition, Mr. Speaker, both the gentleman from Ohio (Mr. NEY) and I have had the opportunity of talking to the chairman of the Subcommittee on Legislative of the Committee on Appropriations, which funds the Capitol Police, and his staff. They have also given very positive input into this process.

Mr. Speaker, this good bill would reduce Capitol Police attrition and encourage recruitment. I thank the chairman, as I said at the beginning, for his leadership on this issue. We work as a team. It is a "we" committee, not a "me" or an "I" committee, and it is that because of the leadership of the gentleman from Ohio (Mr. NEY). I thank him for bringing this bill to the floor, and I urge the House to support the chairman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. KERNs). Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read the bill, as follows:

H.R. 5018

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Capitol Police Retention, Recruitment, and Authorization Act of 2002".

SEC. 2. INCREASE IN ANNUAL RATE OF BASIC COMPENSATION.

For fiscal year 2003, the Capitol Police Board shall increase the annual rate of basic compensation applicable for officers and members of the Capitol Police for pay periods occurring during the year by 5 percent, except that in the case of officers above the rank of captain the increase shall be made at a rate determined by the Board at its discretion (but not to exceed 5 percent).

SEC. 3. INCREASE IN RATES APPLICABLE TO NEWLY-APPOINTED MEMBERS AND EMPLOYEES.

The Capitol Police Board may compensate newly-appointed officers, members, and civilian employees of the Capitol Police at an annual rate of basic compensation in excess of the lowest rate of compensation otherwise applicable to the position to which the employee is appointed, except that in no case may such a rate be greater than the maximum annual rate of basic compensation otherwise applicable to the position.

SEC. 4. ADDITIONAL COMPENSATION FOR SPECIALTY ASSIGNMENTS.

Section 909(e) of the Emergency Supplemental Act, 2002 (40 U.S.C. 207b-2(e)), is amended—

(1) in the heading, by inserting “AND OFFICERS HOLDING OTHER SPECIALTY ASSIGNMENTS” after “OFFICERS”;

(2) in paragraph (1), by inserting “or who is assigned to another specialty assignment designated by the chief of the Capitol Police” after “field training officer”; and

(3) in paragraph (2), by striking “officer,” and inserting “officer or to be assigned to a designated specialty assignment.”

SEC. 5. APPLICATION OF PREMIUM PAY LIMITS ON ANNUAL BASIS.

(a) IN GENERAL.—Any limits on the amount of premium pay which may be earned by officers and members of the Capitol Police during emergencies (as determined by the Capitol Police Board) shall be applied by the Capitol Police Board on an annual basis and not on a pay period basis.

(b) EFFECTIVE DATE.—Subsection (a) shall apply with respect to hours of duty occurring on or after September 11, 2001.

SEC. 6. THRESHOLD FOR ELIGIBILITY FOR ADDITIONAL ANNUAL LEAVE.

The Capitol Police Board shall provide that an officer or member of the Capitol Police who completes 3 years of employment with the Capitol Police (taking into account any period occurring before, on, or after the date of the enactment of this Act) shall receive 8 hours of annual leave per pay period.

SEC. 7. FINANCIAL ASSISTANCE FOR HIGHER EDUCATION COSTS.

(a) TUITION REIMBURSEMENT.—

(1) IN GENERAL.—The Capitol Police Board shall establish a tuition reimbursement program for officers and members of the Capitol Police who are enrolled in or accepted for enrollment in a degree, certificate, or other program leading to a recognized educational credential at an institution of higher education in a course of study relating to law enforcement.

(2) ANNUAL CAP ON AMOUNT REIMBURSED.—The amount paid as a reimbursement under the program established under this subsection with respect to any individual may not exceed \$3,000 during any year.

(3) APPROVAL OF REGULATIONS.—The program established under this subsection shall take effect upon the approval of the regulations promulgated by the Capitol Police Board to carry out the program by the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate.

(b) BONUS PAYMENTS FOR COMPLETION OF DEGREE.—The Capitol Police Board may

make a one-time bonus payment in an amount not to exceed \$500 to any officer or member who participates in the program established under subsection (a) upon the officer's or member's completion of the course of study involved.

SEC. 8. BONUS PAYMENTS FOR OFFICERS AND EMPLOYEES WHO RECRUIT NEW OFFICERS.

(a) IN GENERAL.—The Capitol Police Board may make a one-time bonus payment in an amount not to exceed \$500 to any officer, member, or civilian employee of the Capitol Police who recruits another individual to serve as an officer or member of the Capitol Police.

(b) EXEMPTION OF RECRUITMENT OFFICERS.—No payment may be made under subsection (a) to any officer, member, or civilian employee who carries out recruiting activities for the Capitol Police as part of the individual's official responsibilities.

(c) TIMING.—No payment may be made under subsection (a) with respect to an individual recruited to serve as an officer or member of the Capitol Police until the individual completes the training required for new officers or members and is sworn in as an officer or member.

SEC. 9. DEPOSIT OF CERTAIN FUNDS RELATING TO THE CAPITOL POLICE.

(a) IN GENERAL.—

(1) DISPOSAL OF PROPERTY.—Any funds from the proceeds of the disposal of property of the Capitol Police shall be deposited in the United States Treasury for credit to the appropriation for “GENERAL EXPENSES” under the heading “CAPITOL POLICE BOARD”, or “SECURITY ENHANCEMENTS” under the heading “CAPITOL POLICE BOARD”.

(2) COMPENSATION.—Any funds for compensation for damage to, or loss of, property of the Capitol Police, including any insurance payment or payment made by an officer or civilian employee of the Capitol Police for such compensation, shall be deposited in the United States Treasury for credit to the appropriation for “GENERAL EXPENSES” under the heading “CAPITOL POLICE BOARD”.

(3) REIMBURSEMENT FOR SERVICES PROVIDED TO GOVERNMENTS.—Any funds from reimbursement made by another entity of the Federal government or by any State or local government for assistance provided by the Capitol Police shall be deposited in the United States Treasury for credit to the appropriation for “GENERAL EXPENSES” under the heading “CAPITOL POLICE BOARD”.

(b) EXPENDITURES.—Funds deposited under subsection (a) may be expended by the Capitol Police Board for any authorized purpose (subject to the approval of the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate) and shall remain available until expended.

(c) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2003 and each succeeding fiscal year.

SEC. 10. INCREASE IN NUMBER OF AUTHORIZED POSITIONS.

Effective with respect to fiscal year 2002 and each fiscal year thereafter, the total number of full-time equivalent positions of the United States Capitol Police (including positions for members of the Capitol Police and civilian employees) may not exceed 1,981 positions.

SEC. 11. DISPOSAL OF FIREARMS.

The disposal of firearms by officers and members of the United States Capitol Police shall be carried out in accordance with regulations promulgated by the Capitol Police Board and approved by the Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives.

SEC. 12. USE OF VEHICLES TO TRANSPORT POLICE DOGS.

Notwithstanding any other provision of law, an officer of the United States Capitol Police who works with a police dog and who is responsible for the care of the dog during non-working hours may use an official Capitol Police vehicle when the officer is accompanied by the dog to travel between the officer's residence and duty station and to otherwise carry out official duties.

SEC. 13. SENSE OF CONGRESS ON MANAGEMENT OF CAPITOL POLICE.

It is the sense of Congress that, to the greatest extent possible consistent with the mission of the Capitol Police, the chief of the Capitol Police should seek to deploy the human and other resources of the Police in a manner maximizing opportunities for individual officers to be trained for, and to acquire and maintain proficiency in, all aspects of the Police's responsibilities, and to rotate regularly among different posts and duties, in order to utilize fully the skills and talents of officers, enhance the appeal of their work, and ensure the highest state of readiness.

SEC. 14. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for fiscal year 2003 and each succeeding fiscal year such sums as may be necessary to carry out this Act and the amendments made by this Act.

SEC. 15. EFFECTIVE DATE.

Except as otherwise provided, this Act and the amendments made by this Act shall apply with respect to pay periods occurring during fiscal year 2003 and each succeeding fiscal year.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NOTIFYING MEMBERS TO CONTACT COMMITTEE ON JUDICIARY TO COSPONSOR RESOLUTION REGARDING PLEDGE OF ALLEGIANCE

(Mr. SENSENBRENNER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SENSENBRENNER. Mr. Speaker, earlier today, the United States Court of Appeals for the Ninth Circuit held that the Pledge of Allegiance is an unconstitutional endorsement of religion. This ruling treats any public religious reference as inherently evil and is an attempt to remove religious speech from the public arena from those who disagree.

This ruling is ridiculous, and I have introduced a resolution today with the gentleman from Mississippi (Mr. PICKERING) that specifically states that the phrase “one Nation, under God” should remain in the Pledge of Allegiance, and that the Ninth Circuit Court of Appeals should agree to rehear this ruling en banc to reverse this constitutionally infirm and historically inaccurate ruling.

Members who wish to cosponsor this resolution should contact the Committee on the Judiciary at 5-3190. It is my hope that the House of Representatives will bring it up promptly.